

April 1, 2008

Mr. Dan Mahar  
EPA Region 10  
Office of Air, Waste and Toxics (AWT-107)  
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***RE: Shell Offshore, Inc. OCS Air Permit - Kulluk Drilling Operations  
EPA Permit No: R10OCS-AK-07-01 (Revised)***

Dear Mr. Mahar:

The Inupiat Community of the Arctic Slope (ICAS) received the Environmental Protection Agency's (EPA's) notice of public hearing and comment on the Shell Offshore Inc., (Shell) Outer Continental Shelf (OCS) Air Permit for the Kulluk Drilling Operation EPA Permit No: R10OCS-AK-07-01 (Revised). We express our gratitude for the opportunity to comment on this revised permit. ICAS continues to state that we are opposed to an issuance of an air permit to Shell for their OCS-Kulluk Drilling Operations.

Shell conducted public hearings in three (3) villages within the north-slope region, Barrow, Kaktovik, and Nuiqsut. The hearings were conducted between, March 25-27, 2008. At these hearings there was overwhelming opposition to the Shell project, and for the issuance of a minor air permit. Comments were expressed in opposition to the fact that a "minor" source permit was applied for by Shell, and it was stated that Shell should be applying for a "major" source permit.

There is much technical information related to the determination made by EPA for allowing Shell to submit a minor source application permit which will not be included in this document. The North Slope Borough has submitted a comment document also, and ICAS supports all of the technical information that they have stated in their document in relation to the "minor or major" source permit application process, and supports their

submittal of comments on a whole. **It has been noted by ICAS that the revised permit application that was submitted by Shell to EPA has numerous legal and technical flaws, and ICAS recommends that EPA deny the minor source permit, and require that Shell submit a major source permit application for its' Kulluk Drilling Operations.**

It is very disheartening to know that EPA has chosen to accept such a document to make their determination for issuance of an Air Quality Permit. EPA's refusal at this time to require Shell to submit a more comprehensive major source permit application that would potentially require Shell to utilize the best available control technology under the PSD. We the membership of ICAS, who are also, United States citizens, here in the north-slope region will have to live with the consequences of such a decision. The decision to approve an Air Quality Permit for Shell with "speculated" and outdated studies & information (since the information used to determine air emissions was done with "similar" equipment in an area that is not arctic conditions) does not do a justice to the "people" who have lived in this region for thousands of years, and for years has informed the rest of society that the ocean is "our garden". The drilling operations that will be able to occur if a air quality permit is issued under the minor source permit process has an increased impact to our natural resources, "our garden" because of the fact that the best available control technologies will not be utilized to enable a reduction in the air emissions that will be generated by the drill ship Kulluk, and all of the supporting vessels and equipment that will be utilized in/on this project. The issuance of an Air Quality Permit would place the Inupiat people, the waters "our garden", all the natural resources (wildlife & habitat), including the atmosphere at risk.

In 1993, ARCO utilized the Kulluk drill ship for a project offshore. The Kulluk at that time was permitted as a "major source" of air pollution. How can it be that in 2008, the same drill ship can now be permitted as a "minor source" of air pollution? The emission inventory for the Kulluk drill ship should include a "cumulative" total of all emissions that will be required to drill all the exploration wells planned. The way the emissions are inventoried at this time there leaves little room for error if the wells take longer to drill due to unpredicted circumstances.

Shell's has not done any "human health" studies or analyses in their permit application process. This lack of information will have a direct impact on our coastal communities, our subsistence hunters, and the subsistence resources that may be located downwind of the large industrial pollution source. There are no air pollutant estimates for sources vented to the atmosphere; Shell only provides estimates for combustion sources. Also, the lack of information regarding the cumulative effects of all the activities that are occurring in the arctic adds to the scenario of risks and impacts that will continue to occur to the Inupiat people, and their natural resources.

The "indefinite" permit period is unreasonable. With the lack of information regarding what the air emission impacts will be for a single season, let alone multiple years is another reason why EPA should not issue an Air Quality Permit to Shell for their Kulluk Drilling Operations. Insufficient information regarding the nature of the operations and

also of environmental impacts to the people and the natural resources should be considered by EPA as a strong aspect of denial of the permit.

Although EPA made every effort to contact the north-slope villages for their participation in the public hearings and for notification of this written public comment timeframe, and deadline, the processes that were set up by EPA were not successful. The public hearings for the villages were scheduled during a very important annual event for the residents of the north-slope. The NSB Elder and Youth Conference took place the same week that EPA set up their meetings. This led to poor attendance at the Barrow public hearing, and key persons from the villages may not have been able to participate in the out-lying villages due to their participation in the Elder & Youth conference in Barrow. Elders are a vital component of acquiring comments for public hearings that are scheduled, since they are keen to the many changes that have occurred in such a short period since oil & gas development activities have been happening in the north-slope/arctic region. It is also important that our youth are involved with the public hearing process since they will be our future leaders in the villages. The youth that were most likely participating in the Elder & Youth Conference in Barrow were probably the youth that would most likely have participated in the village public hearings.

EPA had made arrangements for an Inupiat translator for Barrow, but no official translator was present in the Kaktovik and Nuiqsut meetings. This led to meetings that extended past the midnight hour.

Dr. Aaron Wernham, has made numerous comments in relation to the “human health” factors involved with oil & gas exploration, and it seems it continues to fall on “deaf ears” when it comes to the US federal agencies. Impacts to subsistence resources have a negative effect on the Inupiat peoples. This creates stress to manifest, either because of the thought of not being able to harvest the resources, or down to having to travel further distances, which causes the need for larger amounts of funds to be spent on fuels to travel to the resources. It is a known fact that the price for fuel (gas or diesel) is very high in the north-slope of Alaska. The negative health effects range from: food insecurity and hunger, metabolic disorders (including diabetes, obesity, hypertension, and hyperlipidemia), cardiovascular disease, increased injury, and psychological and social problems. Subsistence foods have been estimated to provide as much as 50% of the nutritional intake in the North Slope villages. The events and activities that are involved with the harvest of our “foods” are not only cultural and traditional, but also spiritual. These negative health effects have a potential to occur if a permit is issued to Shell. Also, the proposed activities not only affect humans, but also the wildlife/natural resources, which could in turn make the “food” taken undesirable due to contamination.

This document ends with a quote from two ICAS Tribal Council members that serve to protect, maintain, and sustain the Inupiat their culture and traditional lifestyle of providing for one another, and respect for the wildlife that gives itself to us to share.

*“The Chukchi Sea is our garden. We’ve hunted and fished in the ocean for thousands of years,” The ocean is what our history and culture is based on. We can’t afford to stop*

*our Religious, cultural and subsistence activities that depend on the ocean. One oil spill could destroy our way of life”. Jack Schaefer, ICAS Tribal Council Member-Pt. Hope, Alaska*

*The Inupiat Community of the Arctic Slope is the regional tribal government for eight villages on the North Slope. We have a responsibility to our people to stand up against threats to our whaling culture and to protect our way of life. An oil spill in the Chukchi Sea could devastate the bowhead whale migration and other animals we have subsisted on for thousands of years. The federal government continues to ignore our concerns. The elders have spoken and told us to fight this and we will do so”. George Edwardson, ICAS President Tribal Council-Barrow, Alaska*

*Sincerely,*

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*George Edwardson,  
ICAS Tribal Council President*

*Date*

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*Price Leavitt, Sr.  
ICAS Executive Director*

*Date*